



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: The Commission

FROM: Thomasenia P. Duncan
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SUBJECT: MUR 5879 – (Harry Mitchell for Congress)
Factual and Legal Analysis

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COMMISSION**

At the Executive Session held on April 13, 2010, the Commission approved (6-0) this Office's recommendation in General Counsel's Report # 2 to find no reason to believe that Harry Mitchell for Congress and John Bebbling, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(a) and 434(b). The Commission also voted to close the file in this matter. However, the motion to approve these recommendations did not include approval of the Factual and Legal Analysis (F&LA) that was attached to the report. Therefore, the Certification received by this Office on April 16, 2010, did not reflect that the Commission approved the F&LA. Accordingly, the same F&LA that was attached to General Counsel's Report # 2 is being re-circulated on a 48-hour No Objection basis. The file in this matter, including this F&LA, will be placed on the public record within 30 days of closing the file.

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